



DOCKET NO. 8229-017-27 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:	JAMES A. HUNTER, ET AL.	ART UNIT:	2872
SERIAL NO.:	10/029,875	EXAMINER:	AMARI, A.
FILING DATE: DECEMBER 31, 2001			
FOR: HIGH CONTRAST GRATING LIGHT VALVE			

**REQUEST FOR RECONSIDERATION**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Final Office Action issued in the above-captioned patent application on September 29, 2004, and in light of the Request for Continued Examination submitted herewith, withdrawal of the rejection of all claims as anticipated or obvious over U.S. Patent 6,233,087, Hawkins, alone or in view of U.S. Patent 5,311,360, Bloom, is respectfully requested.

Specifically, Applicants have previously presented, in the form of Declarations responsive to the rejection over U.S. Patent, 6,169,624, now withdrawn, evidence tending to demonstrate a date of invention of the subject matter claimed in advance of the effective filing dates of both the '624 and '087 patents. Those respective filing dates are August 11, 1999 and December 18, 1998.

In the Office Action of September 2004, the rejection over U.S. Patent 6,233,087, only, alone or in view of the '360 patent, was maintained, it being the position of the Examiner that none of the exhibits provided in the Declaration provide any test results to show that the subject matter claimed worked for the intended purpose. The Examiner also questions, pages 2-5 of the

Outstanding Office Action, whether the exhibits submitted demonstrate all the elements of the claims.

Applicants rely on the evidence originally submitted, together with the Declaration of Hunter submitted herewith. Time has not allowed the preparation of an executed Declaration, but Applicants submit the unexecuted Declaration herewith, and will submit an executed version of the same shortly. This Declaration of Hunter under 37 C.F.R. §1.131 demonstrates that in fact the subject matter of the invention was made prior to the effective filing dates of the references by the inventors. Accordingly, withdrawal of the rejections for anticipation and obviousness is respectfully requested.

Respectfully submitted,

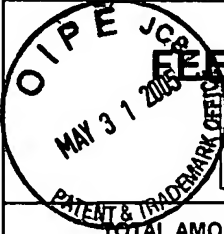
MERCHANT & GOULD



Steven B. Kelber  
Registration No. 30,073  
Attorney of Record

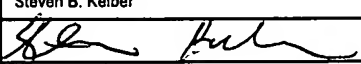
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 <div style="text-align: center;"> <b>FEE TRANSMITTAL</b>  <b>23552</b>  <small>PATENT TRADEMARK OFFICE</small> </div>	Docket No.	8229-017-27 CIP
	Serial No.	10/029,875
	Filing Date	DECEMBER 31, 2001
	Inventor(s)	JAMES A. HUNTER, ET AL.
	Group Art Unit	2872
TOTAL AMOUNT OF PAYMENT		\$1,810.00
Examiner		AMARI, A.

1. <input type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <b>UNDERPAYMENT</b> or credit any <b>OVERPAYMENT</b> in the indicated fees to Deposit Account No. 13-2725. <input checked="" type="checkbox"/> Charge the indicated fees to Deposit Account No. 13-2725.										<b>FEE CALCULATION (continued)</b>								
										<b>4. ADDITIONAL FEES</b>								
										Large Entity		Small Entity		Fee Description		Fee Paid		
2. <input type="checkbox"/> Check enclosed.										Fee Code	Fee (\$)	Fee Code	Fee (\$)					
<b>FEE CALCULATION</b>										1051	130	2051	65	Surcharge-late filing fee or oath				
<b>1. BASIC FILING FEE</b>										1053	130	1053	130	Non-English Specification				
Large Entity		Small Entity		Fee Description				1251	120	2251	60	1-mo. ext. of time						
Fee Code	Fee (\$)	Fee Code	Fee (\$)					Fee Paid		1252	450	2252	225	2-mo. ext. of time				
1011	300	2011	150	Utility filing fee						1253	1020	2253	510	3-mo. ext. of time		1020		
1012	200	2012	100	Design filing fee						1254	1590	2254	795	4-mo. ext. of time				
1013	200	2013	100	Plant filing fee						1255	2160	2255	1080	5-mo. ext. of time				
1014	300	2014	150	Reissue filing fee						1401	500	2401	250	Notice of Appeal				
1005	200	2005	100	Provisional filing fee						1402	500	2402	250	Appeal Brief				
1111	500	2111	250	Utility Search Fee						1403	1000	2403	500	Request for Oral				
1311	200	2311	100	Utility Examination Fee						1501	1400	2501	700	Utility/Reissue Issue				
<b>SUBTOTAL (1)</b>								\$0.00		1504	300	1504	300	Publication Fee				
<b>2. EXTRA CLAIM FEES</b>										8001	3	8001	3	Advance Copy of Patent				
tot. claims		0	-	20*	=	0	x	\$50	=	0	1806	180	1806	180	IDS Submission			
ind. claims		0	-	3*	=	0	x	\$200	=	0	8021	40	8021	40	Assignment Recordation			
<input type="checkbox"/> Multiple Dependent Claims						\$360	=			1801	790	2801	395	For Filing RCE		790		
<b>SUBTOTAL (2)</b>								\$0.00		1814	130	2814	65	Terminal Disclaimer				

<b>3. APPLICATION SIZE FEES</b>										
Total # Sheets				# of Extra Sheets						
0		-100=		0						
# of Each Add'l 50 Sheets		Fee		Total Fee Due						
0		250		0						
<b>SUBTOTAL (3)</b>				\$0.00		<b>SUBTOTAL (4)</b>				\$1,810.00

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	5/31/05
Name		Registration No.	202-326-0253